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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,)	Crim. Case No.08CR0254-WQH
)	
12 Plaintiff,)	APPLICATION FOR ORDER
)	SHORTENING TIME
13 v.)	
)	
14 JOSE SOBERANES-ROBLES,)	
)	
15 Defendant.)	
16		

17 COMES NOW the plaintiff, UNITED STATES OF AMERICA, by and through its counsel,
18 KAREN P. HEWITT, United States Attorney, and ALESSANDRA P. SERANO, Assistant United
19 States Attorney, and hereby moves this court for an order shortening time in which the United States
20 may file its Supplemental Response and Opposition to Defendant's Motion to Dismiss the Indictment.

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1 This request for an order shortening time is based upon the following:

- 2 1. On March 17, 2008 at 2:00 p.m., a motion hearing was held in this case. This writer is the
3 assigned AUSA to this case and had the matter covered by the assigned calendar assistant.
4 The Court requested further supplemental briefing from the Government on the issue whether
5 the indictment should be dismissed based upon faulty grand jury instructions. The Court
6 ordered the supplemental response to be filed by close of business March 19, 2008.
- 7 2. This writer was out of the district and out of the office on vacation on Monday, March 17 to
8 Wednesday, March 19, 2008. However, upon receiving electronic notice of the request for
9 supplemental briefing on Tuesday, March 18, 2008, this writer contacted this Court's
10 chambers and spoke to Patricia, the criminal law clerk, and advised her of my absence and
11 asked her to notify the Court of situation with the assurance that a response would be filed
12 by the end of the week when I returned to the office.
- 13 3. The same day, this writer contacted defense counsel, Elizabeth Barros, and advised her of my
14 intent to file the supplemental briefing late due to being out of the office. She had no
15 objection.
- 16 4. On Thursday, March 20, 2008, I prepared the supplemental briefing requested by the Court
17 and filed it subject to the Court granting this application.

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19 The Government respectfully requests the Court to permit the Government to accept the filing
20 of the supplemental response one day later than previously ordered.

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22 . Dated: March 20, 2008

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24 Respectfully submitted,

25 KAREN P. HEWITT
26 United States Attorney

27 s/Alessandra P. Serano
28 ALESSANDRA P. SERANO
Assistant U.S. Attorney